

## **CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 224**

**Citations Affected:** IC 16-18-2-150; IC 16-27-0.5.

**Synopsis:** Home health care services and hospice services council. Conference committee report for ESB 224. Prevents a member of the home health care services and hospice services council from: (1) having an ownership interest in; or (2) serving as a voting member on the governing body of; a home health agency or a hospice. Removes the prohibition against a member having: (1) a pecuniary interest in; or (2) providing services through employment or under contract for; a home health agency or a hospice. **(This conference committee report removes language concerning the statewide independent living council.)**

**Effective:** July 1, 2005.

# CONFERENCE COMMITTEE REPORT

**MADAM PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 224 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 16-18-2-150 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 150. (a) "Governing
- 4 body", for purposes of IC 16-22-7, has the meaning set forth in
- 5 IC 16-22-7-2.
- 6 **(b) "Governing body", for purposes of IC 16-27-0.5, has the**
- 7 **meaning set forth in IC 16-27-0.5-0.5.**
- 8 ~~(b)~~ (c) "Governing body", for purposes of IC 16-41-22, has the
- 9 meaning set forth in IC 16-41-22-3.
- 10 SECTION 2. IC 16-27-0.5-0.5 IS ADDED TO THE INDIANA
- 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this chapter,**
- 13 **"governing body" means the board of trustees, governing board,**
- 14 **board of directors, or other body responsible for governing a home**
- 15 **health agency or a hospice.**
- 16 SECTION 3. IC 16-27-0.5-1 IS AMENDED TO READ AS
- 17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The home health
- 18 care services and hospice services council is established.
- 19 (b) The council consists of sixteen (16) members as follows:
- 20 (1) One (1) licensed physician experienced in home health care.
- 21 (2) One (1) licensed physician with certification in hospice and
- 22 palliative medicine.
- 23 (3) Four (4) individuals as follows:

1 (A) One (1) individual engaged in the administration of a  
2 nonhospital based home health agency.  
3 (B) One (1) individual engaged in the administration of a hospital  
4 based home health agency.  
5 (C) One (1) individual engaged in the administration of:  
6 (i) a nonhospital based hospice; or  
7 (ii) a hospice licensed under IC 16-25-3 that provides  
8 in-patient care.  
9 (D) One (1) individual engaged in the administration of a  
10 hospital based hospice.  
11 (4) One (1) registered nurse who is licensed under IC 25-23 and  
12 experienced in home health care.  
13 (5) One (1) registered nurse who is licensed under IC 25-23 with  
14 certification in hospice and palliative medicine.  
15 (6) One (1):  
16 (A) physical therapist licensed under IC 25-27;  
17 (B) occupational therapist certified under IC 25-23.5; or  
18 (C) speech-language pathologist licensed under IC 25-35.6;  
19 experienced in home health care.  
20 (7) One (1) citizen having knowledge of or experience in hospice  
21 care.  
22 (8) One (1) citizen having knowledge of or experience in home  
23 health agency care.  
24 (9) One (1) registered pharmacist who is licensed under IC 25-26  
25 with experience in hospice and palliative medicine.  
26 (10) One (1) respiratory care practitioner who is licensed under  
27 IC 25-34.5 and experienced in home care.  
28 (11) One (1) individual who is a bereavement counselor with  
29 experience in hospice care.  
30 (12) The commissioner or the commissioner's designee.  
31 (13) The secretary of family and social services or the secretary's  
32 designee.  
33 (c) The governor shall appoint the members of the council designated  
34 by subsection (b)(1) through (b)(11).  
35 (d) Except for the members of the council designated by subsection  
36 (b)(12) through (b)(13), all appointments are for four (4) years. If a  
37 vacancy occurs, the appointee serves for the remainder of the unexpired  
38 term. A vacancy shall be filled from the same group that was  
39 represented by the outgoing member.  
40 (e) Except for the members of the council designated by subsection  
41 (b)(3), a member of the council may not:  
42 (1) have a pecuniary an ownership interest in the operation of; or  
43 provide professional services through employment or under  
44 contract to  
45 (2) serve as a voting member on the governing body of;  
46 a home health agency licensed under this article or a hospice licensed  
47 under IC 16-25.  
(Reference is to ESB 224 as printed April 1, 2005.)

**Conference Committee Report**  
**on**  
**Engrossed Senate Bill 224**

**S**igned by:

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Senator Miller  
Chairperson

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Representative Woodruff

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Senator Breaux

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Representative Brown C

**Senate Conferees**

**House Conferees**